175 then came the Awlad 'Ali.
619
726 Around the year 1800, the Awlad 'Ali were able to
167 defeat the Hanadi with the help of another Cyrenaican tribe dwelling in the area, the Jumi'at. The Jumi'at were a vassal tribe who changed their allegiance from the Hanadi to the Awlad 'Ali after this war. The Hanadi, as the Banu'Una before them, were forced into the Nile Valley. Today, they
[13] live in Sharqiyya Province and are no longer distinguishable from the peasant population.

175 According to Evans-Pritchard, the Awlad 'Ali were still
619 in possession of eastern Cyrenaica in 1800. Then there occurred
726 "long and savagely fought" wars ending with the expulsion of
114 the Awlad 'Ali. But this time schedule seems unlikely since the Awlad 'Ali were already at war with the Hanadi when
175 Napoleon landed near Alexandria in 1798. The Bedouin war has
648 been amusingly described by the French historian Lacroix (in
•181 Murray 1935:30) who accompanied the Napoleonic expedition:

> At five o'clock, the first Bedouin were seen on the flank of the army, and shortly afterwards one saw four or five hundred; it was the tribe of Henady, the fiercest Arabs of these deserts. They were almost naked, swarthy, and lean; their horses seemed wornout hacks; save for the helmet, it was Don Quixote as represented in the engravings ...if these five hundred Arabs had been Mamelukes, they would have been able to obtain a great success at this first moment, when the soldiers' imaginations were alert and ready to receive any impression, but these Arabs were as cowardly as the Mamelukes, who had charged an hour before, were brave.

648 makes the welfare aspects of "Arab Socialism" meaningful,
177 but the Bedouins of al-Qasr feel that they are already
[23] practicing "Socialists."

The Bedouins feel that the programs of the government are insufficient: the desert is extra harsh and aid should compensate for this. On the other hand, the Egyptians who administer the aid programs claim that the Bedouins do not differentiate between "giving cooperation" and "receiving aid." [181] Agricultural advisers complain that the Bedouins are lazy. One agronomist whose job it was to teach the Bedouins how to cultivate the olive tree said that they did not want to learn: "They want us to plant the trees, water them and care for them, harvest the olives, and then they will take them to the market and sell them!" This statement is typical. The [186] Bedouins reply: "The Egyptians did not teach us how to grow the olive. Our fathers planted the olive here long before they came into the desert." The Bedouins feel that the Egyptians should follow their advice concerning the use and control of water in the desert; that if they did the olive [186] would flourish and life would be easier. "The Egyptians," they say, "are lazy and cannot keep up with our requests for more seedlings. They cannot furnish us with what we need to improve our lives. All we hear is: 'tomorrow, tomorrow'!"

[241] The Bedouins do not understand the methods of modern hydrology and agronomy. They see no reason for the experimenta-

657 sanctioned the direction of economic development from a
177 pastoral to a market-oriented, agricultural mode of production.
474 Land reclamation and development projects administered by the
433 cooperatives encourage the Bedouins to produce cash crops.
In this way, Al-Qasr is being drawn into the national economy.
Price changes and seasonal commodity preferences in the Nile
Valley now affect the economy of al-Qasr. The generation of a
•[181] cash economy has created a competitive spirit and a degree of
individual independence which cuts across tribal loyalty and
affiliations. The cooperative society, in this manner, tends
to be a "social equalizer."

657 But economic transformation as the intended goal of the
177 Cooperative Law is far from being an accomplished fact. Al-
198 Qasr is still a traditional Bedouin society in the sense that
474 the lineage structure is the framework in which economic and
*613 social relations take place. Because the cooperative society,
as a new basis for association, threatens the dominance of the
lineage principle, it has become the focal point for a struggle
between the old and new.

657 The major problem encountered by the government officials
177 in this program is that the cooperative society, as a central
474 agent for the dispensation of aid products, becomes a pawn in
661 tribal power politics. The government, forced to rely upon the
435 prestigious and wealthy men for the initiation of an innovative
program, found itself unable to prevent profiteering and the

173 that in those days it was important "to have men to go to
*613 war; Hajj 'Ali came from the Sinai with many men and wrote
619 his name into the books of Lazumi." Today, in the Lazumi
597 genealogy Hajj 'Ali's name appears as the brother of Taram,
[114] both are claimed as sons of Mighawsiz. This kind of data is difficult to uncover and I may have missed gathering other cases of ideological kinship ties.

*613 The specific unilinear principle which operates in
[171] al-Qasr is partrilineality, common to the Middle Eastern culture area. A corollary principle is the corporate group.
*613 Together, these two rules structure the social world of the
571 individual and effectively define a range of social choices for him. The individual's social relations and social roles are relative to the rights and obligations of the people related to him through his father. In a sense, the social world for the individual in al-Qasr is his father's group and its network of relationships with other similar groups; he would not think of leaving this group of his own free will though, in reality, he could. The Bedouins believe
[181] that a man cannot be happy if he lives with strangers, i.e.,
[829] outside his corporate group. This value holds up today to the extent that a man will expect his son to return to the desert even after his education as a merchant, a government clerk, or an army officer.

Structural differentiation in al-Qasr is not solely

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539 Her riding booth struck a tree and she found herself stranded there in the tree; her camel had gone and the rest of the caravan noticed nothing and continued on. Then a Marabit passed by and saw her there. He helped her down and they later married. She already had three sons to a former husband: Ali Ahmar, Ali Abyad and Sinaina. The Marabit also had children from another marriage. He was very rich and they could afford to live together. One day thieves began to harrass the man, but when the three Sa'adi sons offered him their help he told them not to bother with the thieves, that they would go away. But they did not, and they continued to harrass the man for a long time. The three sons were still very young at this time. When they grew up they asked the Marabit for arms and horses with which to fight off the thieves. They received them and succeeded in driving off the thieves. The Marabit was very happy and offered the three sons one-half of his wealth, and he was very rich. The sons refused this generous offer saying to the Marabit that they were no different from his other sons and would take only one-tenth of his wealth.

619 The differentiation between the Sa'adi and Marabit has structural consequences only in that it defines psychological types and tends to assign them to certain roles in society. By his [181] psychological make-up, the Marabit, who is weak and retiring, is unfit for the tasks which the Sa'adi undertakes, i.e., war, trade, and politics. It is, nevertheless, expected that the Marabit will act as a support mechanism for the secular operations of the Sa'adi. Usually, this support takes the form of financial contributions.

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675 Each Marabit group is related through contractual agreement to a Sa'adi group. For instance, the Sulwatiyya lineage of al-Qasr are members of the Jumi'at tribe, a Marabit tribe; when identifying themselves they will say

196 only from area to area but also from person to person.

121 In terms of the Bedouin social structure, it is useful
*613 to discuss politics as a set of authority relations operating
571 in a problem-solving situation. This operation takes place at all levels of the lineage system with the exception of the sub-tertiary group; below the tertiary group level authority is purely a function of certain kinship roles. Since we cannot analytically separate the political aspect of the role "family head" from the moral aspect of the role "father," it seems best to designate this type of authority as being something distinct from political authority. We will call this type of authority either "familial" or "domestic," and "political authority" will be considered to exist in cases where there is some degree of role specialization and role differentiation with respect to decision-making and problem-solving. As I conceptualize it, then, the tertiary group is a political group because it is structurally identified with a corporate office, or institutionalized role of leadership. At the end
[128] of this chapter, and in the next chapter, I will elaborate on this because it is a focal point of the study.

121 Structural principles designed to promote integration
571 in a society also shed light on the degree of coercion and
•181 conflict in social "organization." Individuals and groups in society have interests and values which they seek to maximize in the face of competition and opposition from other individ-

uals and groups. Radcliffe-Brown (1952:199) spoke of social relations existing where there was "some adjustment of respective interests, by convergence of interest, or by limitation of conflicts that might arise from divergence of interests." When a person or group has an interest in an object, material or immaterial, that object has a certain value for the person or group. Thus does the study of social structure become, for Radcliffe-Brown, "the study of interests and values as the determinants of social relations." Convergence of interests side by side with a divergence of interests characterizes any society, and all societies are segmented on one basis or another. I have found it enlightening to consider the segments of al-Qasr Bedouin society as "interest groups." Interest groups are the real groups which one can observe in either integration or conflict. They are real in the sense that their behavior can be observed. They are real in that they can be defined by a stable pattern of authority relations whereas other groups are non-existent in this sense. The tertiary group and the secondary group, in so far as it is a coordination of replicate corporate groups, are real groups in al-Qasr whereas the primary and tribal levels are theoretical or quasi-groups. That is, they are only potentially interest groups, seeing that, for the time being, they lack the common interests and coordinated activity to be classified as an authority, or political, or interest group.

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554 moral community, we cannot proceed to a discussion of the internal and external systems of political relations.

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[867] As a result of the socialization process, and through relations with other members of the family, an individual comes to recognize that his conduct is measurable by certain standards of, what is considered by the group to be, good and bad, right and wrong. In al-Qasr, such standards are intrinsically correct, or "decent" as the Bedouins say; obedience to the authority representing these standards is interpreted as a "duty." The authoritative aspect of the role of household [596] head (shaib al-bait), and the moral obligations which it represents, emerge from and reinforce values and structural arrangements central to Bedouin social order, namely, respect for authority and devotion to social groups, the two basic elements of morality defined by Durkheim (Parsons 1937:382-385).

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182 The value placed upon social order, and the structural mechanisms for insuring its realization and extension--kinship, residence and contract--inform an authority structure which ranges between filial piety at the family level and a set of legal norms at the level of the external political system. The fact that the Bedouins of al-Qasr are interested in integrating a larger population into their authority structure means that a common value is operative in the range of it; also that one sphere of authority will tend to merge into another. [593] Hence the father-son authority relation has importance for [671] the strength of Bedouin customary law in the desert. The

high value placed upon conformity to rules governing authority relations makes Bedouin society of al-Qasr less individualistic than, for instance, the Iatmul of New Guinea who "set no exaggerated value upon extremely orderly behavior" (Bateson 1958:31). Social cohesion in al-Qasr is sustained through what Durkheim called "mechanical solidarity."

The Bedouin father is in a disciplinary position over his washuun, his wife (wives) and his children. (The word, washuun, must be of Berber origin for I am unable to trace it in Arabic.) Although the father has the right to beat his washuun, the Bedouins say that he does so "only in rare cases, when it is necessary." During my time in the field I heard of no physical punishment being dealt out by a father.

The dyadic relationship of father and son roles is the focal field of authority in the family. The pattern of behavior in this relationship is marked typically by restraint on the part of the son. The father orders and the son obeys unquestioningly. If the father accidentally uses a taboo word, such as 'ammar which in standard Arabic means "to fill" but in the Bedouin dialect means "to have sexual intercourse," the son will immediately depart the scene in a high state of embarrassment. In this way, the boy is not only excluded from gatherings and activities in which his father participates, but he is also made to maintain a respectable social distance from his father's age-set. There are other ways of

FIGURE 9 - USE OF MATERNAL APPENDAGE OR SUFFIX

The sister's son-mother's brother relationship receives a high degree of attention in al-Qasr. No other kinship relationship except for that between the father and the son is better defined. Peters (1965:135) sees the importance of the sister's son-mother's brother relationship to be based on the need for economic symbiosis. This factor, but also the necessity for political cooperation, probably account for the central significance of this relationship. One chief political value, i.e., one type of behavior valued by the group and relevant to the political process (see LeVine 1960), which Bedouin children learn relates to the desire to avoid conflict, especially if it concerns their mothers' tribes. Children are taught that any quarrel, however slight at first, could conceivably grow to become a large-scale tribal war.

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182 war.

The Bedouins of al-Qasr are conscious of the practicality of external kinship ties. The role of mother's
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182 brother becomes a significant symbol for the maintenance of these ties. Boys are supposed to respect their khal ("mother's brother") in order "to avoid wars which could end the world." The Bedouins claim vehemently that "no quarrel can happen between me and a member of that tribe because my brother has married into that tribe." They make the value
[181] of the mother's brother link very explicit: "Marriage into other tribes makes quarrels impossible."

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538 There are many Bedouin proverbs pointing to the place of the mother's brother in the social structure. Proverbs, in any culture, trace out areas of behavior which have become important. Kenneth Burke (1957:256) says of proverbs, that they are "strategies for dealing with situations. In so far as situations are typical and recurrent in a given social structure, people develop names for them and strategies for handling them. Another name for strategies might be attitudes." The Bedouins likewise look upon proverbs as tem-
[829] plates for behavior. They say that "we should heed proverbs because they are the words of the elders; they are like a white flag which marks the way, and people should not go beyond these flags."

A most common proverb which elevates the mother's

121 a tradition is not a mere observed fact like an existing custom . . .; it is an idea which expresses a value judgment. A certain way of acting is regarded as right; a certain order or arrangement is held desirable. The maintenance of the tradition is the assertion of this judgment (Radin 1935:63).

121 For al-Qasr, I have traced social ideas, social action,
181 and social order to a central traditional value which promotes
621 group consciousness, solidarity, and corporateness. Such a
571 value does not derive from Islam, for Bedouin tradition
171 preceded Islamic tradition, and much of the latter derives from the former. According to Robertson Smith (1903:26-62), the structurally significant unit in pre-Islamic Arabia was the hayy: "a collection of people of the same blood" who lived together and fought together. But, that which actually bound the members with a sense of corporateness to the hayy was the law of blood-revenge. For Smith, the key element in the Bedouin corporate group was the existence of a covenant of blood responsibility. The group was bound by a compact of mutual responsibility, the group had rights in rem over its members, and within the group there could be no blood-feud. Around this idea of mutual responsibility revolve the traditional values which are the basis of corporate grouping in Bedouin society: "The greater part of the traditions of the Arabs turns on blood-revenge and war . . . " (Smith 1903:26).

Smith developed his analysis of Arabian society in terms of certain structural principles: patrilineal ideology,

121 residence, cognatic ties, and contractual relations are all
•181 seen to be structurally important in early Arabian society.
621 Structural differentiation into groups is based on the
571 lineage principle and sustained through "the law of blood-
171 revenge." And it is important to note that the hayy was
characterized by a structure of authority, it was "guided
in war and on the march by one chief" (Smith 1903:44). The
121 law of blood-revenge as an expression of group rights in rem
621 and a system of mutual protection point up the importance of
571 contractual relations in Bedouin society. Whether or not
675 real blood ties are involved, a contract must be present or
there can be no corporate group. Contract legitimizes authority
and provides the basis for the lateral extension of the group;
it is primary though it functions coordinately with a principle
of cognation, residence, adoption, etc. Contractual ties
121 operate outside of kinship at times but will always be validated
621 by it eventually, "for a legal fiction is always adopted to
571 reconcile an act with a principle too firmly established to
675
608 be simply ignored" (Smith 1903:62). "Blood brothers," in
599 al-Qasr, are defined both biologically and ideologically. As
[602] noted in the case of al-Qasr, there were at least three cases
of contractual adoption in which one individual and two whole
corporate groups "wrote their names into the books of the
'Aishaibat tribe" (katab jinnsiyya 'Aishaibiyya). The integra-
tion or adoption of elements in al-Qasr takes place on the

*613 571 concepts of what is desirable and undesirable. "Every structural arrangement," Raymond Firth has said, "has its moral attributes of obligation" (1961:212). This is most essential in an uncentralized system, such as that of al-Qasr, where no institutions exist outside of the corporate group for the introduction of new principles of organization and association.

*181 578 577 *[613] [571] Among the Bedouins, the conceptualization of an authority structure in the role of 'aqila relates to the high value which they place upon a peaceful and orderly world. Children in al-Qasr are taught that one of their serious duties in life is to mediate conflicts, especially, when they are potentially [554] situations which may lead to protracted conflict. And, in a segmentary society where a member's status links him to many different groups in differing degrees of importance, all quarrels are potential group wars. The Bedouin child knows that his elders, and God, want him to follow "the path of the good" (tariiq al-khair). Mainly, this involves helping others to follow "the path of the good" by "bringing them back together" when they are in conflict. When two individuals quarrel and refuse to return to "the path of the good," this brings 'aib ("shame") to each of the persons. When two in- *[613] dividuals quarrel, setting off a group conflict, this brings 'ar ("shame") to the respective corporate groups of the in- [626] dividuals (Abou-Zeid 1966). Against individuals who persist [784] in the ways which cause 'aib to himself, or 'ar to his group,

181 578 579 626 784 certain sanctions of both a secular and sacred nature may be imposed: expulsion from the group and the curse of God are ultimate coercive interventions in the process of conflict regulation.

*613 181 182 571 The role of 'aqila presents the corporate group as "one person" in opposition to other similarly defined groups. Thus, Fortes says (1953:25), "the way a lineage system works depends on the kind of legal institutions found in the society," and this is a function of its political organization. The Bedouin political organization is characterized by two aspects: the internal political system, and the external political system. Both systems are regulated by the same values and norms. Authority relations within the corporate level are founded on values inculcated in the socialization process, and prescribe political behavior for all who come under the jurisdiction of the respective 'aqila. Authority relations outside the corporate level are conducted through the 'aqila. This political role as a functional part of the lineage structure operates in terms of kinship values; politics at the external level are characterized by no new principles.

*613 571 182 Politics in al-Qasr, and elsewhere for that matter, is a process of problem-solving and conflict regulation between individuals and groups. Political action occurs at different levels of the lineage structure, and each is demarcated as a focus or sphere of authority. But all authority stems from

*613 segment. He acts in concert with other 'awaaqil (plural of
554 'aqila) of the tertiary segments of his secondary group when
571 lineage matters call for decision-making at this level.
*613 Tertiary segments are replicate groups descended from one
571 ancestor, they operate with a common ideology pursuant of
183 common interests and goals. As we shall see, this common
675 ideology is expressed in a kind of code, or contract, which
all members of the group swear to uphold and abide by according
to the principle of blood responsibility. Tertiary codes in
[181] al-Qasr are a reflection and an affirmation of a wider system
of values and norms which bind the Bedouins of the Western
Desert together into a political system. This wider normative
[671] system is expressed in the customary legal system of the
Bedouins known as 'awaiyid Awlad 'Ali ("the customs of the
Awlad 'Ali tribe").

*613 The primary duty attached to the office of 'aqila is
578 the regulation of conflict. It is worth noting here that
571 conflict regulation is not equivalent to conflict resolution.
554 The latter process carries with it the intimation that the
causes of conflict have been treated and resolved, that conflict
has been eliminated. Nothing could be further from the truth
in a segmentary society where the various segments actually
constitute conflict groups; consequently, conflict between
groups or individuals who represent groups may be contained
but never forgotten. Conflict is an ongoing process among

*613 578 571 554 the Bedouins. Conflict regulation treats the expressions of social conflict and not its causes.

The 'aqila regulates conflict between the members of his tertiary segment, between this group and the other groups of the secondary unit, and between secondary units of the tribe. He operates in both the internal and external systems

*613 578 593 554 [596] of authority relations. The 'aqila may pre-empt the authority of the shaib in the sphere of familial authority, though, the Bedouins say, this seldom happens because the son is willing to obey his father. Having been reared in the culture, and as a future father himself, the son supports the respect-

*613 578 593 428 554 discipline principle of Bedouin society. But in extreme cases, such as the threat of a father to disown his son, the explicit approval of the 'aqila, and of all the 'awaaqil of the secondary corporate group, is necessary. This is the procedure in all cases of banishment. In one case (which I document below), a man disinherited his younger brother with the formal approval of his 'awaaqil.

*613 682 578 •[181] [681] The tertiary group in Bedouin society is by definition the blood-vengence group. However, in view of the common values and pragmatic interests of its members, the secondary group fulfills this function. Traditionally, when revenge killings were carried out according to the lex talionis, it was usually at the hand of some member of the victim's tertiary group. In the case of protracted conflict, such as extended

*613 571 198 have noted previously, informants very definitely disagreed over the matter; by looking at the two genealogies one is unable to say one way or the other. The process of fission and fusion in the form of secession and adoption is another instance of genealogical manipulation through patrilineal ideology. In this case, patrilineal ideology also may succeed in concealing real biological links in favor of political relations. We shall see below how secession and adoption actually function in Bedouin society.

*613 675 554 571 We have said that the authority of the 'aqila is legitimate at each structural level. The Bedouins of al-Qasr often legitimate the authority of the 'aqila in writing, and, at the same time, make an explicit statement of social compact which outlines the pragmatic and moral values of the corporate group. The corporate charter in al-Qasr is a document of self-interest which defines expectations and consequences for corporate members: it governs the conduct of members in situations relevant to internal order, and gives the 'aqila powers of representation in external affairs. The charter is a reflection of the high value the Bedouins place upon security and order, and is a condition for a legal system of wider scope. Max Weber (1947:120) has expressed the idea of social relationship as contract so well that it is worthwhile to quote him extensively here.

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671 the Bedouins, the government soon discovered their own error,
182 for they were unable to effectively manage group and tribal
648 political relations: "They (the government) found out that they could not solve murders in the desert. They would arrest the killer but the trouble continued between families (i.e. feuding went on). There were more killings instead of less, and, finally, the government asked us to return to the 'awaiyid because it alone can solve murders in the desert." I was unable to document the claim that the government had "abolished" the 'awaiyid in 1933, but a number of officials who worked at the Governor's Office in Marsa Matruh said that it was true.

671 In al-Qasr, and in the Western Desert in general,
641 adherence to law and political order rests upon the conviction
578 that each individual and territorial group have guaranteed
571 rights which are related to honor and property. A violation
554 of any single man's honor or property may easily be interpreted, according to the principle of collective responsibility, as an offense against the rights of a group. And in this sense, legal and moral violations in Bedouin society are relative to the structure of interrelations, and they must be regulated with reference to the various levels of the authority structure.

•181 Bedouins place a high value on political order, but
641 also on the idea that political order can only be guaranteed
578 through a man's willingness "not to allow another to take any
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181 641 598 571 of his rights;" a man should be courageous enough to fight for what belongs to him and his family. These values, which become political values in a tribal context, coupled with the idea of self-help make for a political order which is ultimately based upon the law of blood-revenge and feud. At least this is the case where the external system of authority relations is concerned. But force as the ultimate mechanism for the establishment of political order is better considered an extreme, and only one of the mechanisms used by the Bedouins in the process of conflict regulation. The attempt is to establish a balance of rights, concerning honor and property, and not to go beyond another's boundaries lest he retaliate. Force, as a coercive institution, can never be the sole basis of political structure, as Schapera has shown in the case of the Bergdama and Bushmen (1956:211-221). Thus the Bedouins say blood-revenge would be impossible within the secondary corporate group; relations this important cannot be based upon force. In the case of homicide within this group compensation is immediately forthcoming.

578 571 182 [681] * [613] [682]

Also, it has been pointed out that self-help and collective responsibility do not operate indiscriminately. That is, an individual cannot depend upon the backing of his group irrespective of his own motivations in a particular situation which calls for retaliation or threatened the group with retaliation. Individual responsibility figures in cases

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554 turns in times of need dealing with financial and personal
571 problems. In view of the value stress which the Bedouins
627 place upon generosity, manifest in the redistributive system
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•[181] of the lineage, the wealth of the rajal khair is the wealth
[556] of the community. Wealth divides, not only possessors from non-possessors, but also, seekers after security from power seekers. It is as Peters (1965:145) has noted in Cyrenaica: generosity, not being entirely altruistic, wins repute and repute is an important aspect of political power.

554 In an interview concerning the justice of blood-
682 revenge, there was general agreement that if a man kills
627 intentionally, then blood-revenge must be taken by the
*613 murdered man's bait against someone in the murderer's aiela.
829 But one prominent man (a rajal khair) protested that "the best man in the killer's family must not be harmed." This statement generated a rather heated debate. One man said: "The best man should be killed for this is right in the Bedouin type of justice." (This comment was made by a man who is the 'aqila of a low-status lineage in al-Qasr.) The first speaker's reply to the protest was this:

> Nevertheless, it all depends upon the character of the best man . . . if he is evil and on bad terms with your family, then he will be the first one to be killed. But if he is a good man, then you kill the murderer himself . . . You must never kill a rajal khair because he may do good in the future. In the old days, the killing started right away, and all problems were big ones: today there is negotiation--people are improving.

[178]

advanced" and is assumed "to have authority"; that the "great tradition" is represented in the writings and public actions of the political elite; and that "social prestige is dependent on its adoption (or at least on its profession)" (1962:69). Implicit in von Grunebaum's analysis, and also contained in Redfield's model, is the employment of reference group theory to understand human behavior in society. In the al-Qasr case, I have tried to show that "status group" members repudiate many of the traditional ways of life while at the same time identifying more and more with the Egyptian "status group," the bureaucrats of Marsa Matruh. The implication here is that the Bedouin "status group" is in the process of taking on the values of a new reference group to which they do not yet belong but to which they seek admission.

The bureaucrats of Marsa Matruh, like those of Cairo and Alexandria described by von Grunebaum, represent the "great tradition." The "status group" of al-Qasr while aspiring to the "great tradition" emulate certain of the behavioral traits and expectations of the elite group. For instance, they are conspicuous for their regular attendance at Friday mosque services in Matruh. Merton, who has developed reference group theory, points out that "men frequently orient themselves to groups other than their own in shaping their behavior and evaluations" (1957:234). This type of behavior, or "anticipatory socialization," is the process of taking on

121 177 571 •181 the values of a non-membership group in order to "find readier acceptance by that group and make an earlier adjustment to it" (Merton 1957:265). In a relatively closed society such as al-Qasr, when those who qualify for membership in other reference groups are able to do more than merely aspire, when they actually anticipate and adjust their behavior to a type of status consciously desired, the local authority and social structures are likely to be transformed.

121 571 554 We can generalize from the literature on social stratification that the hierarchial structure characteristic of traditional societies carries with it a relationship of mutual obligation. The "inferior" owes rent, respect, loyalty, obedience, etc., while the "superior" owes, in return, protection, advice, help in emergency, action in conflict regulation, representation in extralocal matters, etc. (Hagen 1962: 55-86; Parsons 1953: 108). In al-Qasr, the 'aqila fulfills only one of the functions of the "superior," that which deals with conflict regulation. The rajal khair role, as I have developed it, may function in full capacity as a "superior."

121 554 * [613] [627] The rajal khair dominates the internal system through power derived from rank on the prestige scale: he is prominent in the external system as member and representative of a new power structure based on national and political consciousness. Traditionally, rajal khair-dominance was not by force but through influence and prestige: in the new situation, with a

document statements concerning the substantive law of the society studied, or to abstract and elucidate that law. An example of the first technique is Howell's analysis of the Nuer court decisions (1954) where he collected a large number of court cases, cla-sified them and abstracted the substantive aspect of the native law. Gluckman's study of the Lozi (1955) represents the second technique. Smith and Roberts used the same method of case analysis to abstract certain principles of the Zuni law (1954), and Nader utilized it in her study of the Zapotecan law (1964). The list of those who utilized the case-study approach is quite extensive, and the range of the societies they studied is quite varied. But most of them share the interest in the substantive rather than in the procedural aspect of the law.

When referring to the procedural aspect of the law one should keep in mind the difference between the technical and the abstract components of procedural law. The first refers to the activities and steps involved in the settlement of disputes in the society as well as the person or body undertaking the responsibility of such settlement. The second involves a number of abstract principles reflecting the values of the society with regard to the goals of the judicial process, and which the judicial persons use as a guide in achieving a settlement or in passing a judgment of one kind or another. These are the bases of judicial reasoning. Although judicial reasoning represents one of the most interesting and important aspects of the judicial process, it attracted very little attention among legal anthropologists. With the exception of Gluckman and his analysis of the concept of "reasonable man" among the Lozi (1955a), no significant work has been done in this area. In dealing with the concept of the reasonable man, Gluckman was more interested in discovering universals in laws than in the process of judicial reasoning as such. He implied that an

element of reasonableness is a universal principle in any judicial logic. Nadel reacts to Gluckman's implication of the universality of the concept suggesting that it is valid only in certain contexts, and that the cases reported by Gluckman from which he abstracted that concept are minor ones. Nadel maintained that the principle seems inadequate in major crimes such as homicide, witchcraft or assault. "If I am right, the Lozi would, in these situations, discard their guiding fiction of 'reasonable man' for the sharper dichotomy of things simply lawful and unlawful, permitted and forbidden" (1956:162).

METHODOLOGY

One of the characteristics of legal anthropology is the absence of a coherent body of theory that could be utilized in the analysis and interpretation of the ethnographic data. What do exist, however, in the area of the ethnography of law are a variety of what may be called "tools of analysis." These are mainly methods and orientations which help to direct the researcher's attention to a certain area of behavior which describes best the phenomenon under study. Their main purpose is to help the researcher isolate particular portions of the phenomenon he is studying and as such enables him to conceptualize the problem. A number of these tools have been employed in the present study. One of these tools is Turner's "social drama" which was employed in the analysis of the political leadership and the judicial process. Since this approach depends upon the intimate knowledge of the sequential development of a given case, or cases, over a period of time, it was quite difficult to employ it in more than that particular context. As will be apparent in the later chapters, the judicial process among the group is highly informal. Most of the disputes are settled by means of mediation which is done behind the scene and with a great deal of secrecy.

2: Mohsen E,O-5 (1958-1966) 1971 MT9 Libyan Bedouin MT9
Awlad Ali

CHAPTER II

ECOLOGY AND HISTORY

619 Awlad Ali are a number of Arabic-speaking semi-nomadic tribes of
101 sheep and goat herders who inhabit the northern part of the Western
162 Desert of Egypt. The total population of Awlad Ali, according to the 1965 preliminary census, was about 100,000 inhabitants. This estimate is, however, very tentative and fluctuates from one year to the next, depending on the circumstances of the pasture in the area. The
131 area they occupy consists of the narrow strip of fertile land which extends along the Mediterranean coast from near Alexandria in the east some 350 miles westward to the UAR-Libyan border town of Sallum, and varying in width from ten to thirty miles. Vegetation in the area de-
132 133 pends on rainfall, supplemented by a number of artesian wells. The rainy season extends from November to March, but the rain is extremely erratic in nature, varying from one year to another and from one place to the next. Draught has been experienced every three to four years, one of them being experienced at the time of the study. The water situ-
312 ation is further aggravated by the low technological level of the people
[181] which prevents them from making the best use of the available rain water. There have been some attempts made to store as much of the rain water as possible, but these attempts are usually made by individuals and in too crude and primitive a way to prevent most of the water from being lost by seepage or by evaporation. The most commonly used method of water preservation in the area is digging cisterns in the ground. But most of these cisterns are too shallow to keep large amounts of water. Some deeper wells are found in the area and are called "beer sama"

3:Evans-Pritchard E-4, 5 (1942-1944) 1949 MT9 Libyan Bedouin MT9
(1837-1942) Sanusi

137 of country. The whitish soils of the steppe support worts and
[134] other scrub bushes and some drought-resisting trees in the beds of wadis and they are well covered with annual and perennial grasses and other plants which yield excellent pasturage in the
[233] springtime. However, except in the Wadi al-Mra, where camels can be kept the year round, there is little grazing beyond the line Msus–Bir Tinjidhir–Bir Hakaim.

233 The Bedouin of the forest area are essentially a goat people,
137 though they also keep many sheep and cattle, and it is mostly through the medium of the goat that the vast natural wealth of the forests of Cyrenaica is transformed into human wealth. The animal is hardy and frugal, and has the great merit of preferring tree and shrub to grass and of being a catholic feeder. Just as the forest would be useless to the Bedouin without the goat so the much vaster stretches of steppe would be useless to them without the sheep and camel which turn its grasses and
233 scrub into food. Thus Cyrenaica is fundamentally a pastoral
[181] country, primarily a country of sheep farming, and its people, as they say themselves, have the hearts of shepherds and not of peasants. While agriculture and pastoralism are both practised, the bias of nature and tradition is towards animal husbandry, by which the rich vegetation of the country is turned into milk, butter, meat, wool, hides, and draught and transport.

II

13 In Cyrenaica stand always contrasted the mountain and the
221 plain, the forest and the steppe, the red soils and the white, the
233 region of goats and cows and the region of sheep and camels, settled life and nomadism.

221 True nomadism is very rare. A few Fawakhir, Minifa, Huta,
233 and other tribal fragments herd only camels, or if they possess other animals keep them with kinsmen near the plateau, and can therefore wander pretty well where they please. They may be found anywhere between the Nile, Fazzan, and the Sudan. Their spirit is that of an Aulad 'Ali tribesman who said to me: 'We call no place our home. It is wherever there is grass and water.' Semi-nomads are numerous. Those with land on the
[241] plateau cultivate there, then graze southwards, and return again to the plateau in the dry season to water their flocks.

3:Evans-Pritchard E-4, 5 (1942-1944) 1949 MT9 Libyan Bedouin MT9
(1837-1942) Sanusi

[P.62]

CHAPTER III

THE SANUSIYA AND THE TRIBES

I

793 619 When the Grand Sanusi came to preach in Cyrenaica he found the kind of society I have outlined: a congeries of tribes without law or effective government, for the Turks had little control over the interior, but with like values and habits and a community of life which crossed tribal boundaries. The Bedouin to [181] whom he preached were simple people living the austere and monotonous life of the tents, with that savage character which has been so often portrayed, but also with those noble qualities which have seldom failed to evoke admiration from those who [779] have lived among them. They were profoundly ignorant about [797] the outside world and also—which is what touched the heart of the Grand Sanusi—about the faith of their fathers, and to this matter I must now return, since the Sanusiya was a missionary Order and can only be understood as such.

771 [797] Though the Bedouin professed Islam before the Grand Sanusi influenced them by his teaching, they were almost totally ignorant of its doctrinal content, rites, or ritual and moral duties, and it is safe to assume that they did not obey its precepts. It is safe to assume this because even to-day, after a century of Sanusiya instruction, the Bedouin perform their religious duties in a very perfunctory way, if at all, and when Muslim law is at variance with tribal custom they follow tribal custom. In saying that they are lax, I do not suggest that they [186] are not very sincere, Muslims. They are proud of being Muslims and consider themselves greatly superior to Christians, while they are contemptuous of Jews. Nevertheless, though they would not belittle, the Cyrenaican Bedouin feel no embarrassment at neglecting, the duties obligatory on every Muslim. The Confession of Faith is known to all and implicitly accepted by all. It imposes no irksome restrictions or tiresome duties. [782] But they almost completely neglect—I speak of the more nomadic sections whom I know best, but it is probably true of most Cyrenaican Bedouin—their daily prayers, a duty which is

3:Evans-Pritchard E-4, 5 (1942-1944) 1949 MT9 Libyan Bedouin MT9
(1837-1942) Sanusi

account of the Italian invasion of Tripolitania. Realizing that they were helpless without Sanusiya support not only in the Sahara but also in Libya, since they would not be able without command of the sea to reinforce their garrisons there, the Turks showed themselves anxious to win over Sayyid Ahmad al-Sharif by also conferring on him new privileges. In 1910 the Governor of Banghazi proposed to make him a monthly grant of 4,000 Piastres, and the Governor of Tripoli sent a telegram in cipher to his representatives in various parts of Tripolitania asking them whether they thought the Sanusiya Order powerful enough to warrant additional privileges, which was apparently the view of Istanbul. His representatives, judging by its lesser influence in Tripolitania, where it never gained the unanimous support it received in Cyrenaica, reported that in their opinion the political importance of the Order had been exaggerated.[1]

Such of these events as were known to Italian observers shortly before and in the early stages of their war with Turkey led them to false conclusions because the complexity of Arab sentiments was not appreciated. The structure of Bedouin society is such that whatever the size of the group a man considers himself to belong to in any situation, he is in virtue of his loyalty to it opposed to other groups of like order in the tribal structure. He is loyal to his *bait* against other *biyut*, to his *'aila* against other *'ailat*, and to his *qabila* against other *qabail*. Nevertheless, he has a strong feeling of communion with all the Bedouin of his country, regardless of their tribal affiliations, in common opposition to the towns. But Bedouin and citizen are both Arab and they made common cause against the Turks, especially when the activities of the 'Young Turks' forced Turk and Arab into rival camps. But even Arab and Turk shared wider loyalties in their regard—unequal, it is true, but still shared—for the Sultanate and for Islam and they reacted in spontaneous accord against threats from Christian Powers, the French advance in the Sahara and the Italian invasion of Libya. Against Christians and Europeans Arabs and Turks were no longer Arabs and Turks but Muslims, just as against the Turks Bedouin and citizens were no longer Bedouin and citizens but Arabs, and against the towns tribesmen were no longer members of different tribes but a Bedouin community.

[1] Macaluso, op. cit., pp. 88–90, and Serra, op. cit., p. 37.

3:Evans-Pritchard E-4, 5 (1942-1944) 1949 MT9 Libyan Bedouin MT9
(1837-1942) Sanusi

the changes in the legal status of the Arabs of Cyrenaica during those years and how the lands of the Bedouin were confiscated to provide farms for Italian colonists. In the final section of the book I give a résumé of events leading up to what is, I hope, the threshold of Cyrenaican independence.

The Italians detested the Bedouin. Long years of campaigning against guerrilla bands had irritated them more than governments are usually irritated by Bedouin and made them increasingly flamboyant and brutal. In the whole Italian literature on Cyrenaica I have not read a sentence of understanding of Romany values. Because they lived in tents without most of the goods the peasant, and even more the townsman, regard as signs of civilization the Italians spoke of them as barbarians, little better than beasts, and treated them accordingly. The arguments they used to justify their treatment of them have a familiar ring.

Graziani has described the Bedouin in his usual uncompromising language and his opinions were doubtless shared by most army officers and government officials:

> 'Anarchist, lover of the most complete liberty and independence, intolerant of any restraint, headstrong, ignorant, unconquerable and boastful (*bluffista*) hero, it is sufficient that he possesses a rifle and a horse; he often masks, under the pretence of the necessity of moving his tent, the desire of gaining the end of withdrawing himself from every governmental contact and control.'

And again:

> 'Rebellious against every tie of discipline, used to wandering in territories often immense and solitary, bold in mobility and ease of movement, bemused by the fascination of independence, always ready for war and raiding, the nomads have always resisted every governmental restraint.'[1]

Graziani was a plain-spoken soldier. When the conquest phase of colonization had passed and it was no longer fashionable to believe in naked *refoulement*, administrators found it expedient to express themselves more temperately. The soldier-politician Badoglio, in his directive to subordinates in Libya for the year 1933, forbade further talk of '*ribelli*'. The war, the rebellion as it had been called, was over and the past must be forgotten in a

[1] Op. cit., pp. 119–20.

3:Evans-Pritchard E-4, 5 (1942-1944) 1949 MT9 Libyan Bedouin MT9
(1837-1942) Sanusi

Italians had more leisure to devote to breaking up tribal life altogether.

The final decree of the Fascists affecting Arab status was issued in 1939. It incorporated Tripolitania and Cyrenaica within the Kingdom of Italy, and to quiet any dismay this might cause among the Effendiya of the towns it offered them certain privileges, mostly nominal. The decree in no way affected the Bedouin. Indeed very little of the unceasing flow of legislation which poured from the Italian bureaucrats and lawyers in the form of Laws, Royal-Decrees, Royal-Law-Decrees, Ministerial Decrees, and Governatorial Decrees affected the Bedouin. The vast majority of these rules and regulations in no way touched their lives and they remained in blissful ignorance of their content. They had little or no money, they settled their own cases with the aid of their Shaikhs and religious teachers, they made their own trading arrangements, they provided their own labour, and so on. Where a law affected them it could often be eluded or circumvented. As the Bedouin themselves say, '*Sama' min gher ta'a*', 'To hear without obeying', is one of their chief characteristics. The Italians in any case, sitting comfortably in their offices and entirely out of touch with the people, relied on their Cyrenaican police and minor officials to report breaches of regulations, and if they did not choose to do so, the law became a dead letter. Also it cannot be assumed that because there were regulations great efforts were always made to enforce them. 'The gap between the letter of the law and daily practice, wide in all countries, becomes an abyss in Italy.'[1]

With all their regulations and petty interference the Italians were most careful not to offend Arab opinion in religious matters. From the moment of their invasion of Libya they vociferated their respect for Arab custom, culture, and religion. Thus the Minister Bertolini said to the Arabs in a discourse at Tripoli in 1914: 'We will respect your religion and your customs; we know the splendour with which your civilization has already illumined the world and we do not intend in any way to threaten it. . . .'[2] The Italians prided themselves on their Islamic policy and claimed that as a result of it and of their justice and of their

[1] James Meenan, *The Italian Corporative System*, 1944, p. 340.
[2] Mondaini, op. cit., pp. 327–8.

8: Kennett G-5 (ca. 1921) 1925 MT9 Libyan Bedouin MT9

reason in three families of one tribe paying together, while the fourth is independent. Sometimes this is caused by geographical separation, at other times by personal animosity or jealousy.

The main difference between the rules of the Western Desert and Sinai is that in the West reprisals taken at the discretion of an aggrieved individual are not recognised as lawful, and are distinctly discouraged. Generally speaking, the Western Bedou is a very much more prosperous and law-abiding person than the Sinai Arab, although at the same time he retains his charm as a primitive and independent being. Occasionally a dastardly murder takes place, but public opinion is very strong not only against the murderer personally, but against all the members of his family, who automatically share his unpopularity.

In the spring of 1920 an old man, reputed to possess considerable wealth, both in camels and sheep and also in gold buried in the ground, was returning about mid-day from market riding his donkey, and one of his numerous grown-up sons was walking on foot beside him. After going four or five miles in the open desert, the old man got off his donkey, and told his son to ride for a little way while he walked. The son suddenly attacked his old father and hit him with the heavy stick he was carrying; and the poor old man died almost at once with a broken skull. There was nobody about, and the son dragged his father's body about a hundred yards, and threw it down an old dried-up cistern; then, mounting his donkey, he rode home to dinner.

That afternoon the local sheikh was told of the old man's disappearance, and as he had seen father and son leaving the market together, he had his suspicions. He traced their footsteps, picking up the tracks of a heavily laden donkey and one man walking, from near the entrance to the market place. Then, following along carefully on these tracks, he saw where the old man had dismounted. Then he saw a spot of blood and the place where the

9: Murray E, K-3, 4 (ca. 1910-1935) 1935 MT9 Libyan Bedouin MT9
Egypt

Had the Senussi been successful in the last war, they would no doubt have brought in the 'Ibeidat or the 'Awaqir from Cyrenaica to replace the Awlad 'Ali in Egypt.

At the present day the Awlad 'Ali, especially the eastern sections near the Nile Valley, have almost ceased to be nomadic, and only the old men have memories of their former warlike habits. They suffered considerably during the Great War, but are again becoming prosperous. They now own large comfortable tents, are beginning to build houses and clear out cisterns, and are also said to be increasing in numbers.[1] So civilized have they grown that my guides, one a Sinai Arab and the other an 'Abadi, concurred in calling them "green"—not real desert-worthy Bedouins.

Perhaps as a result of Libyan influence, or more probably the better nurture and climate, they are taller, heavier, stronger, and lighter-complexioned than the lightly built Arabs of Sinai and Hijaz. Also they are much franker and more straightforward than their shifty and suspicious eastern cousins, and altogether more trustworthy. Their women only veil themselves to strangers, and talk quite naturally and cheerfully to the men of their own tribe.

They cultivate as much barley as they can, using a primitive plough drawn by camels, in the clayey hollows scattered over their very stony limestone desert, but, as the rainfall is very uncertain, a good crop only occurs every five or six years. After harvest, they exchange some of their barley for maize, which the women grind to make bread as required, and some for dried dates. The seed for next year is buried in a hole lined with straw and covered with clay, and a year's forage for the animals is set aside. The rest of the crop goes to market, and for a short time the Arab has money to buy clothes for himself and his family and at utmost need to pay off some of the numerous debts he has inherited from his forefathers. Soon he is reduced again to the clothes he wears, the tent he sleeps in, and his animals grazing in the desert.

They are great breeders of camels and sheep, and a busy traffic in these goes on weekly in the markets of Hammam, 'Amriya, and the Beheira. So they have got into the habit

[1] At the 1927 census, the Western Desert Arabs, Awlad 'Ali, Jawabis, etc., numbered 38,928 souls exclusive of those settled in Beheira. But Pacho, 100 years ago, estimated them at 38,000 souls.

9: Murray E, K-3, 4 (ca. 1910-1935) 1935 MT9 Libyan Bedouin MT9
Egypt

436 178 of thinking in money, and they reckon blood-money in cash (£300) and not in camels, as Bedouin should.

484 245 The more adventurous make, annually, long and waterless journeys to the oases of Siwa and Bahariya to remove the date crop, and, after their own wants are provided for, a good profit usually results from the sale of the remainder.

• 181 An Egyptian critic, who should know them only too well,[1] calls them "haughty, independent, and untrustworthy in character. They are dull and so abnormally lazy that they have no desire whatever to do more than they learnt (when young)". But he puts this down to the nature of the country; less generous critics ascribe the nature of the country to them!

173 619 Besides the descendants from 'Ali's three sons, 'Ali el-Abyad, 'Ali el-Ahmar, and Sineina, a large section called Sinaqra reckons its descent from Sinqir, a mysterious white man who was wrecked and washed up on the coast near Salum some time in the seventeenth century.[2] These are the true Awlad 'Ali, whose sections live mingled together in the most intricate fashion. Among them live also the Jumei'at, who invited them into the country, and various families of other *murabitin*, such as Qat'an, Awlad Suleiman, Hawara, Habun, etc.

619 To distinguish themselves from their vassals, the Awlad 'Ali call themselves *hurr* free, and the *murabitin* are divided into various grades, according as they pay tribute or not.

The Awlad 'Ali are divided into three main divisions, with section (*badanat*) and subsections (*'eilat*) as follows. Some of these are so numerous that they practically constitute fresh tribes of their own.

I. Awlad Kharuf

[193] These are the descendants of 'Ali el-Abyad ("The White"), the eldest son of 'Ali bin 'Aqar bin Dib, and are subdivided again into:

Section.	*Subsections.*
(1) 'Eilet Bu Hindi	'Eilet Bu Zayyana, 'Eilet Bahiya, 'Eilet Da'ud
(2) 'Eilet Bu Diya	'Eilet Ibrahim, 'Eilet Jereisat
(3) Awlad Mansur	El-Afrad, El-Tawa'il, 'Eilet 'Abd Allah

[1] Muhammad Bey Wasfi, for many years Inspector at Borg el-'Arab.
[2] Their sheikh told Hamilton in 1853, there were seven generations between him and Sinqir.

9: Murray E, K-3, 4 (ca. 1910-1935) 1935 MT9 Libyan Bedouin MT9 Egypt

later Wilkinson estimated them at about 400 men near El Terrana and the Wadi Natrun.

At the present day they are still reckoned *Murabitin*, but, like the Jumei'at, are sufficiently independent not to have to pay tribute. They share with the Awlad 'Ali in the date traffic with Bahariya Oasis, where the produce of the village of Mandisha is reserved for them, and that from Bawitti for the Awlad 'Ali.

Kennett notes (p. 54) that they demand £400 for blood-money instead of £300, the usual price in the Western Desert, and alludes (p. 67) to :

> "The free and easy way in which the Gawabees tribe near the Wadi Natrun pack up their summer tents and leave them in situ while they themselves trek off with their winter tents into the open desert for the winter grazing is indicative of this code of honesty prevailing among them."

On page 101, he calls them "nearly all very small men, with strangely similar features and characteristics running through all the families of the tribe".

Bramly has collected three pedigrees of the tribe all going back to Sheikh 'Abd el-Jawad el-Kassar. They state that they are an offshoot from the Qadadfa, and about 500 years ago left Saqiet el-Hamra in Morocco to settle in Egypt.

As a reward for "settling some affairs in the Wadi Natrun", Muhammad 'Ali Pasha granted them the usual Bedouin privilege of exemption from military service. There are small colonies of them elsewhere among the Awlad Ali, while others are settled in the cultivated provinces of Giza, Beheira, Menufiya, and Gharbiya.

Jumei'at.—This tribe, possibly a remnant of the original Libyan inhabitants of Mariut, is of quite respectable antiquity, for Ibn Khaldun includes the Jumei'at as a subtribe of "Beni 'Ali", themselves an offshoot from Beni Suleim. Whether his "Beni 'Ali" are the same as the modern Awlad 'Ali may be questioned, yet it is a reasonable assumption, for the exchange of the words "Beni" and "Awlad" in tribal names can be paralleled elsewhere.

The Jumei'at all agree that their remote ancestor, whom they share with the Awlad Suleiman and the Qat'an, was called Ka'b, and a Ka'b indeed appears in the pedigree ascribed